

Appl. No. 09/991,324  
Response dated 03/17/2006  
Reply to Office Action of 10/17/2005

### **REMARKS/ARGUMENTS**

#### **Objections to the Claims**

The Examiner has objected to claims 92, 98-100 and 104 due to the recitation of "at least one persons". The plural word "persons" has been changed to the singular form of the word "person". Claims 93, 101 and 102 and 105 have been objected to as well since they depend on the independent claims with objections. Since the objections have been addressed with respect to the independent claims from which these dependent claims depend, the objects to the dependent claims are rendered moot.

The Examiner has also objected to claim 99 as an improper dependent form. Claim 99 has been amended to depend on a different claim, namely claim 98, to correct the typographical error with respect to the claim number from which claim 99 previously depended on.

#### **Rejections of the Claims under 35 USC §102**

The Examiner has rejected claims 89-91, 94-96, 98, 100 and 103 under 35 USC §102(e) as being anticipated by United States Patent Serial No. 6,556,709 to Kumar ('709). Kumar is directed at generically characterizing objects. The objects identified in Kumar are generically characterized and not uniquely identified since color and contour data in the image is used to characterize an object and later search a database for a object of that characterization, for example a mountain. The device of Kumar is not capable of "obtaining said identifying information from said providing user wherein said identifying information comprises information that uniquely identifies said at least one object in said image data and wherein said identifying information further comprises location information that identifies coordinates of said

BEST AVAILABLE COPY

Appl. No. 09/991,324

Response dated 03/17/2006

Reply to Office Action of 10/17/2005

at least one object". Kumar does not contemplate and is not configured to obtain unique identifiers for each object. Kumar obtains generic characterizations of objects so that a user can search a database for a group of different mountain pictures for example. As such Kumar cannot find a unique mountain in a database, e.g., Mt. McKinley. On the contrary, Kumar is configured to find all pictures that have a mountain based on color and contour information in each picture that has been characterized as a mountain. In addition, Kumar would not be able to uniquely identify one mountain from another if there were more than one mountain in a single picture and so Kumar is not configured to obtain or provide "location information that identifies coordinates of said at least one object" in the picture so that each object in the picture may be uniquely identified. For example Kumar does not contemplate "presenting said data associated with said at least one result object to said searching user that initiated said request and presenting said identifying information at said coordinates of said at least one object". Kumar does not for example allow for a presentation of the name and location of each mountain in a picture with more than one mountain in it. Likewise with respect to the other independent claims rejected in this section, persons are not uniquely identified by Kumar and as such Kumar does not anticipate Applicant's invention as claimed.

#### **Rejections of the Claims under 35 USC §103**

The Examiner has rejected claims 92, 93, 97, 99, 101, 102, 104 and 105 under 35 USC §103(a) as being unpatentable over United States Patent Serial No. 6,556,709 to Kumar ('709) in view of United States Patent Serial No. 5,063,603 to Burt ('603).

Appl. No. 09/991,324

Response dated 03/17/2006

Reply to Office Action of 10/17/2005

Claims 92, 93, 97, 99, 101, 102, 104 and 105 have been canceled rendering the rejections to these claims moot.

Although the Examiner's rejections to these claims are moot, to the Burt reference will be discussed to expedite examination. Neither Kumar nor Burt contemplates "presenting said identifying information at said coordinates of said at least one object". Burt tracks objects through a series of pictures that are related in time and does so using color filters and moving object means. (See Col. 5, ll. 56-68). To track a particular individual through successive frames, Burt requires a full face, left profile and right profile views of a given person at a number of different resolutions. (See Col. 6, ll. 1-5). Applicant's invention does not utilize this technique for automating the process.

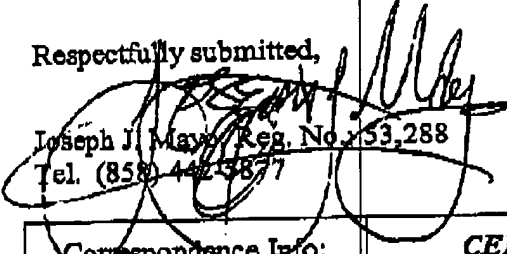
#### CONCLUSION

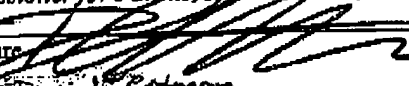
For at least the reasons stated herein, Applicant respectfully submits that the claims as amended are in condition for allowance. If the Examiner differs in this conclusion, the Examiner is hereby requested to contact Applicant's representative for purposes of a telephone interview at the number listed below before any action (other than an allowance) is initiated.

BEST AVAILABLE COPY

Appl. No. 09/991,324  
Response dated 03/17/2006  
Reply to Office Action of 10/17/2005

Respectfully submitted,

  
Joseph J. Mayo, Reg. No. 53,288  
Tel. (858) 442-3877

Correspondence Info:	<b>CERTIFICATE OF MAILING or TRANSMISSION</b>
Customer Number  <b>36067</b>	<i>I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on <u>March 17, 2006</u> to 571-273-8300 or is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</i>
	Signature:  Date: March 17, 2006 Name: Daniel Catman

**BEST AVAILABLE COPY**

10 of 10